On Mon, Jul 31, 2017 at 2:57 PM sally urbano <[urbanosally@yahoo.com](mailto:urbanosally@yahoo.com)> wrote:

       Hello Chairman Ryer and board members.

 Below is information in an email  I have received regarding a historic restriction in Massachusetts.

Mirande is both a lawyer and has advanced degrees in Historic preservation.

       I appreciate her comment about 106 review which I have been  asking for.  I believe there should also be Mass environmental protection act assessment. When do these become due and what is our recourse for assuring that they are completed.

The historic restriction could be held by an entity such as the Harwich Historical society.

The board of Selectmen gave money to HECH to put forth an RFP for the Chase House and to complete a historic restriction.

At a recent update, Don Howell mentiond to the slectmen that HECH believes that it can do the  historic restriction in house and offered to return that money. I do not believe it was returned.

However concerns arise. If Habitat purchases the property form HECH, is the restriction in place at that time. If so could it be removed and then sold back to HECH. My concern is based on past prrecedent where Habitat said they would save a historic house in their Namskaket Orleans project. In the end they claimed no reliable person could be found to rehabilitate the structure and it was demolished.

Appreciate all your efforts.

Sally Urbano

On Thursday, July 27, 2017 5:41 PM, Mirande D <[mdupuydewitt@gmail.com](mailto:mdupuydewitt@gmail.com)> wrote:

Hi.

Unless they've started something new, MHC does not carry easements. As far as I'm aware there is no place on Cape that carries easements, but easements can be held by organizations at a distance from the propertym.

An historic preservation easement/restriction would have to be approved by the irs, because it reduces bldg values and thus taxes. This is supposed to be a transparent transfer of limited property rights.

I am thinking that because there is (or will be) federal involvement, and your group is an interested party under Section 106 rules, that this might require disclosure to you from HECH.

It's an interesting idea that deserves research. I can't think why it could hurt to demand it? I'd love to represent you in this. Seems novel but clearly analogous to settled precedent.

Best, Mirande